



WP.Nos.31167 & 40601 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on : 29.10.2025

Pronounced on : 07.11.2025

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

WP.Nos.31167 & 40601 of 2025 and
WMP.Nos.34909, 34911, 45527 & 37761 of 2025

WP.No.31167 of 2025

R.Rajeswari

... Petitioner

Vs.

1.The Joint Registrar/ Managing Director,
Salem District Central Co- Operative Bank Ltd,
No.151, Cherry Road, Salem- 636 001.

2.The Joint Registrar/ Managing Director,
Namakkal District Central Co- Operative Bank Ltd,
No.327, Namakkal.

3.The General Manager,
Salem District Central Co- Operative Bank Ltd,
No.151, Cherry Road, Salem- 636 001.

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India



praying to issue a Writ of Certiorarified Mandamus calling for the records of the 2nd respondent and transfer order passed by the 2nd respondent in Na.Ka.No.07/2025/Ni(59) dated 06.08.2025 as well as the relieving order dated 07.08.2025 and to quash the same and consequentially direct the respondents to retain the petitioner in the earlier place of posting at Salem, Salem District Central Co- Operative Bank Ltd.

For Petitioner : Mr.V.Goverthanam
for Mr.N.Desinghu

For Respondents
For R1 & 2 : Mr.M.Muthusamy,
Government Advocate

For R3 : Mr.R.Balaramesh

WP.No.40601 of 2025

M.Senthil Selvam

... Petitioner

Vs.

1.The Government Of Tamil Nadu,
Rep. By Its Principal Secretary,
Co-Operation, Food And Consumer Protection (CC1) Department,
Secretariat, Fort St.George, Chennai-600 009.



WP.Nos.31167 & 40601 of 2025

WEB COPY

2.The Registrar Of Co- Operative Societies

NV Natarajan Maligai,

No.170, Periyar E.V.R. High Road, Kilpauk, Chennai- 600 010.

3.Salem District Central Co- Operative Bank Ltd,

Rep. By Its Joint Registrar -Cum- Managing Director,

No.151, Cherry Road, Salem- 636 001.

4.Namakkal District Central Co- Operative Bank Ltd,

Rp By Its Joint Registrar- Cum- Managing Director,

N.Kandampalayam,

Nallur, SH-86, Tiruchengode Paramathi Road,

Namakkal-637 203.

5.The General Manager,

Salem District Central Co- Operative Bank Ltd,

No.151, Cherry Road, Salem-636 001

... Respondents

PRAYER:

Writ Petition is filed under Article 226 of Constitution of India praying to issue a Writ of Certiorarified Mandamus Calling for the records relating to the order bearing ref. Na.Ka. No.3663/ 1971/ Ni.2. (9) dt. 07.08.2025 passed by the 3rd Respondent Bank in transferring the petitioner's service from 3rd Respondent Bank to the 4th Respondent Bank and consequential order bearing ref.Na.Ka.No.1563/2021/ Ni.3 dt. 01.09.2025 passed by the 5th respondent and order bearing ref.Na.Ka.No.596/ 2023/ Ni.3 dt 18.09.2025 passed by the 3rd



Respondent in rejecting his request for cancellation of the said transfer order and to quash the said orders as being illegal, arbitrary and contrary to principles of Natural Justice and contrary to the Rights of Persons with Disabilities Act, 2016 and for a consequential direction to the respondents to retain the petitioner in the present place of working at Salem

For Petitioner : Mr.V.Goverthanam

For Respondents

For R1 & 2 : Mr.M.Muthusamy,
Government Advocate

For R3 : Mr.R.Balaramesh

COMMON ORDER

The writ petition in WP.No.31167 of 2025 has been filed challenging the transfer order passed by the second respondent dated 06.08.2025 thereby transferring the petitioner from Salem District Central Co-operative Bank Limited to Namakkal District Central



WP.Nos.31167 & 40601 of 2025

WEB COPY

Co-operative Bank Limited and also the order of relieving dated 07.08.2025. The writ petition in WP.No.40601 of 2025 has been filed challenging the order of transfer passed by the third respondent dated 07.08.2025 and the consequential order passed by the third respondent thereby rejecting the request made by the petitioner seeking cancellation of the transfer order.

2. Both the petitioners were initially appointed as Assistant in Salem District Central Co-operative Bank Limited, Salem by the first respondent and thereafter both were promoted to the post of Assistant Manager on 20.08.2024 based on their eligibility and seniority. Hence, this Court is passing this common order.

3. After bifurcation of the Namakkal District, the Salem District Central Cooperative Bank Limited (hereinafter called as 'Salem bank') has been bifurcated to form a new bank in the name of Namakkal District Central Central Cooperative Bank Limited (hereinafter called as 'Namakkal bank') by the proceedings of the second respondent dated



WEB COPY

30.11.2020. For the purpose of bifurcation of assets and liabilities, the Registrar of Cooperative Societies constituted a committee. Thereafter by GO.Ms.No.50 dated 06.03.2024, permission was granted for bifurcation and guidelines were issued for allocation of assets and employees among both the banks. Insofar staff are concerned, it would be used in the ratio of 60:40 on pro-rata basis. Accordingly, the total staff allocated for the Salem Central Cooperative Bank was 231, out of which 179 posts were filled up. The remaining 5 posts were vacant. Similarly, the total posts allocated to the Bank in the Assistant Manager cadre was 49, out of which 42 posts were occupied and remaining seven posts were vacant. Some of the employees had given consent and willingness to go to the bifurcated bank. Both the petitioners were initially working as Assistant and when the bifurcation of two banks were done, and after allocation of staffs in the respective cadre, both the petitioners were promoted to the post of Assistant Manager on 20.08.2024. Thereafter, Salem Bank transferred the petitioner in WP.No.40601 of 2025 to Namakkal Bank by an order dated 07.08.2025 without seeking any consent or willingness from the petitioner. He claimed that he is physically a disabled person



WP.Nos.31167 & 40601 of 2025

with 82% disability and as such he could not be able to travel to Namakkal Bank. Therefore, he submitted representation to cancel the order of transfer dated 07.08.2025 and the same was rejected on 01.09.2025. The petitioner in WP.No.31167 of 2025 was issued order of transfer dated 06.08.2025 and she was relieved from her post on 07.08.2025. However, she has not yet joined in the transferred place.

4. The learned counsels for the petitioners submitted that as per the general body meeting resolution dated 15.06.2024 and final general body meeting dated 03.09.2024, a list of staff members who are to be retained in the Salem bank was published and accordingly both the petitioners were in the Salem bank. Therefore the orders of transfer of the petitioners are contrary to the resolutions and the same are illegal. After allocation of staff, both the petitioners were promoted to the post of Assistant Manager on 20.08.2024. Therefore, it cannot be stated that both the petitioners were allocated to Namakkal Bank, that too without their willingness. As per the resolution and willingness of the staff, the list was prepared for allocation in which some of the persons were not



allocated for the reasons best known to them, instead the petitioners are now transferred to Namakkal bank.

5. Heard the learned counsel appearing on either side and perused all the materials available on record.

6. On perusal of the counters filed by the respondents and on hearing the submissions of the learned counsel appearing for the respondents, it is revealed that after bifurcation of Salem District and Namakkal District, the cooperative societies are functioning in the Salem district at 45 branches and the Namakkal District at 30 branches. In order to satisfy the desire of the people from the Namakkal district, there was bifurcation of Salem bank and Namakkal bank. The Existing staff as per the cadre strength will be used on pro-rata basis i.e. 60:40 for both the banks. The allocation of Staffs is as follows:

S No	Cadre	Total Cadre Strength	Staff Allocation for Salem DCCB	Staff Allocation for Namakkal DCCB	Staff Position as on 30.06. 2025	Staffs allocated for Salem DCCB	Staffs allocated for Namakkal DCCB	Vacancies for Namakkal DCCB
1	General	1	1	New	1	1	0	0



WP.Nos.31167 & 40601 of 2025

S No	Cadre	Total Cadre Strength	Staff Allocation for Salem DCCB	Staff Allocation for Namakkal DCCB	Staff Position as on 30.06.2025	Staffs allocated for Salem DCCB	Staffs allocated for Namakkal DCCB	Vacancies for Namakkal DCCB
	Manager			appointment on promotion from AGM				
2	Assistant General Manager	5	3	2	5	3	2	0
3	Manager	74	44	30	73	44	29	1
4	Assistant Manager	123	74	49	105	63	42	7
5	Assistant	291	175	116	247	148	99	17
6	Jewel Appraiser	1	1	0	0	0	0	0
7	Steno Typist	2	1	1	0	0	0	1
8	Typist	4	2	2	0	0	0	2
9	Driver	5	3	2	1	1	0	2
10	Office Assistant	69	41	28	10	6	4	24
	Total	575	345	230	442	266	176	54

7. Pursuant to the Government order in GO.Ms.No.50 Cooperation, Food and Consumer Protection (CC1) Department dated 06.03.2024, general body meeting was held on 15.06.2024 and a resolution was resolved by accepting the bifurcation of the banks.



Pursuant to the willingness given by the staff, the entire records were placed before the committee wherein out of 442 employees, 137 employees had given their willingness to work in the Namakkal bank which is less in number than the guidelines. Further, 39 employees were in surplus in the Salem bank. Therefore, the committee decided to allocate excess 39 persons to the Namakkal bank from Salem bank. The committee unanimously decided to allot junior most employees of each cadre to the Namakkal bank. In the meantime, eight employees of the Salem bank gave their consent to work in the Namakkal bank. Therefore, the requirement was only 31 persons to comply with the bifurcation. Accordingly, both the petitioners are posted as Assistant Manager in the Namakkal bank. Accordingly, the petitioner in WP.31167 of 2025 has been posted as Assistant Manager of Puthuchadram branch of the Namakkal bank and she was also relieved from the Salem bank. The petitioner in WP.No.40601 of 2025 was allotted to the Namakkal bank and accordingly he was relieved by an order dated 07.08.2025. Thereafter, the petitioner also submitted representation through Chief Minister Cell and the same was also considered and rejected. That apart,



WP.Nos.31167 & 40601 of 2025

the distance between Salem and Namakkal is only 50 kilometers and the place in which the petitioners were allotted is only about 30 kilometers from Salem. Further, the petitioners are the junior most persons in the post of Assistant Manager. Therefore, they were allotted to the Namakkal bank. Further, this is not even a case of transfer. Due to bifurcation of Salem and Namakkal branch, now the petitioners have been allotted to the Namakkal bank. Therefore, this Court finds no infirmity or illegality in the impugned orders.

8. However, the petitioner in WP.No.40601 of 2025 is concerned, admittedly he is a handicapped person with 82% of locomotive disability. That apart, though he was relieved from the post of Assistant Manager of the Salem branch, he has not yet been posted anywhere in the Namakkal bank as Assistant Manager. Considering those facts and circumstances, this Court is inclined to set aside the impugned orders only in respect of him. Accordingly, the orders impugned in the writ petition in WP.No.40601 of 2025 are set aside. Respondents 2 and 3 in WP.No.40601 of 2025 are directed to retain him in the same place i.e.



Five Road Branch of the third respondent and he shall be permitted to join in the post of Assistant Manager at Five Road Branch, Salem.

9. With the above directions, the writ petition in WP.No.40601 of 2025 stands allowed and the writ petition in WP.No.31167 of 2025 stands dismissed. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

07.11.2025

Neutral citation: Yes/No
Index: Yes/No
Speaking/Non-speaking order
lok



WP.Nos.31167 & 40601 of 2025

To

- 1.The Joint Registrar/ Managing Director,
Salem District Central Co- Operative Bank Ltd,
No.151, Cherry Road, Salem- 636 001.
- 2.The Joint Registrar/ Managing Director,
Namakkal District Central Co- Operative Bank Ltd,
No.327, Namakkal.
- 3.The General Manager,
Salem District Central Co- Operative Bank Ltd,
No.151, Cherry Road, Salem- 636 001.
- 4.The Government Of Tamil Nadu,
Rep. By Its Principal Secretary,
Co-Operation, Food And Consumer Protection (CC1) Department,
Secretariat, Fort St.George, Chennai-600 009.
- 5.The Registrar Of Co- Operative Societies
NV Natarajan Maligai,
No.170, Periyar E.V.R. High Road, Kilpauk, Chennai- 600 010.
- 6.The Government Advocate,
High Court of Madras



WEB COPY



14

G.K.ILANTHIRAIYAN, J.

lok

WP.Nos.31167 & 40601 of 2025

07.11.2025

14/14